

Wellstat Biologics Corporation

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NAME: EXAMINER BAO Q. LI

GROUP ART UNIT: 1648

COMPANY: U.S. PATENT AND TRADEMARK OFFICE

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NAME: LEWIS KREISLER

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Re: Inventor(s): Atkins, et al.
Appl. No.: 10/717,101
Filed: November 19, 2003
For: PURGING OF CELLS USING VIRUSES
Atty. Ref. 18013-C1

Transmitted herewith is/are the following document(s):

Communication in Response to Restriction Requirement, including certificate of facsimile transmission

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By: Lewis J. Kreisler
Lewis J. Kreisler
Reg. No. 38522

Date: 1-3-05

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | | |
|--------------|-------------------|-----------------|-----------|
| Inventor(s): | Atkins, et al. | Atty. Ref.: | 18013-C1 |
| Appl. No.: | 10/717,101 | Group Art Unit: | 1648 |
| Filed: | November 19, 2003 | Examiner: | Bao Q. Li |
| Conf. No.: | 7313 | | |
| For: | ONCOLYTIC VIRUS | | |

* * * * *

January 3, 2005

Commissioner for Patents
Washington, D.C. 20231

Sir:

COMMUNICATION IN RESPONSE TO RESTRICTION REQUIREMENT

This is in response to the December 28, 2005 Office Action in connection with the above-identified application. A response to the Office Action is due January 28, 2005.

Therefore this Communication is being timely filed.

The Office Action stated that restriction is required under 35 U.S.C. §121 to one of four (4) allegedly unrelated inventions as set forth in the Office Action. The Office Action noted that the inventions are linked by various other claims.

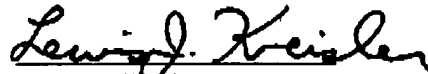
- Inventor(s): Atkins, et al.
Application No.: 10/717,101
Page 2

Applicants hereby elect Group 1 (Claims 8-9, drawn to a method of purging neoplastic cells in *ex vivo* sample by using v[e]sicular stomatitis virus (VSV), classified in class 435, subclass 374). Claims 1-9 and 17-24 read on the elected invention.

The nonelected subject matter is being maintained of record, pending rejoinder and/or the filing of one or more divisional applications.

It is believed that no fee is required in connection with the filing of this Communication. If any fee is required, the Commissioner is hereby authorized to charge the amount of such fee to Deposit Account No. 50-1677.

Respectfully submitted,



Lewis J. Kreisler
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